

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CITIZENS CARING FOR THE FUTURE; NEW
MEXICO INTERFAITH POWER AND LIGHT;
CENTER FOR BIOLOGICAL DIVERSITY; and
WILDEARTH GUARDIANS,

Plaintiffs,

v.

No. 2:23-cv-60-MLG-KRS

DOUGLAS BURGUM, in his official capacity as U.S.
Secretary of the Interior;^[1] and UNITED STATES
BUREAU OF LAND MANAGEMENT,

Federal Defendants,

and

INDEPENDENT PETROLEUM ASSOCIATION OF
NEW MEXICO,

Intervenor-Defendant.

SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule scheduling conference held on February 12, 2025. At the hearing, the Court adopted the parties' proposed Joint Motion For Schedule For Administrative Record Production And For Briefing This Matter On The Merits (Doc. 58), with slight modifications, as reflected in the dates below:

Accordingly, **IT IS HEREBY ORDERED** that the parties shall adhere to the following case management deadlines:

¹ Douglas Burgum, in his official capacity as Secretary of the Interior, is automatically substituted for Deb Haaland. *See* Fed. R. Civ. P. 25(d)(1) (automatic substitution for public officials sued in their official capacity if they die, resign, or cease to hold office while action is pending). The Clerk of Court is instructed to amend the case caption accordingly.

(a) Deadline for the Federal Defendants to serve a provisional draft copy of the Administrative Record (“AR”) in pdf. format on USB drives on Plaintiffs and Intervenor-Defendant: **March 3, 2025.**

(b) Deadline for all parties to confer regarding any disputes concerning the AR: **March 24, 2025.**

(c) Deadline for the Federal Defendants to lodge the AR with the Clerk of Court in pdf. format on USB drives, with notice of lodging filed in CM/ECF: **April 7, 2025.**

(d) Deadline for any party to file a motion to supplement the AR: **April 21, 2025.**

(e) If any party files a motion to supplement the AR, and the Court grants that motion, deadline for the Federal Defendants to serve and lodge the Amended AR in pdf. format on USB drives with the Clerk of Court and file notice of lodging in CM/ECF: **Within forty-five (45) days of the Court’s last ruling granting a motion to supplement.**

(f) Plaintiffs’ Opening Brief:

- (i) if no motions to supplement are filed: **May 19, 2025.**
- (ii) if one or more motions to supplement are filed: either **35 days** from the date the Court denies the last motion to supplement the AR, or, if the Court grants a motion to supplement, then **35 days** from the date on which the Amended AR is served and lodged.

(g) Federal Defendants’ Response Brief:

- (i) if no motions to supplement are filed: **June 16, 2025.**
- (ii) if one or more motions to supplement are filed: **35 days** after Plaintiff’s Opening Brief is filed.

(h) Intervenor-Defendant’s Response Brief:

- (i) if no motions to supplement are filed: **June 30, 2025.**
- (ii) if one or more motions to supplement are filed: **14 days** after Federal Defendants’ Response Brief is filed.

(i) Plaintiffs’ Reply Brief:

- (i) if no motions to supplement are filed: **July 21, 2025.**

- (ii) if one or more motions to supplement are filed: **21 days** after Intervenor-Defendant's Response Brief is filed.

IT IS FURTHER ORDERED that any disputes regarding the scope or content of the AR that are not raised by the deadline for motions to supplement will be deemed to have been waived. Further, any claims or defenses not raised in the opening or response briefs will be deemed to have been waived. The Federal Rules of Appellate Procedure will apply to procedural issues not covered in this order such as briefing page limits.

IT IS FURTHER ORDERED that the Court must approve any changes to the above deadlines, other than the parties' unanimous agreement to extend the deadline to confer regarding the AR. Requests by a party to change the above deadlines must be made by motion and before the expiration of the applicable deadline.

SO ORDERED THIS 12th day of February 2025.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE